

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.  
PF- 0027 US

Serial No.  TO BE ASSIGNED	Filing Date  HEREWITH	Patent No.	Issue Date
Applicant/ <b>ROGER COLEMAN, OLGA BANDMAN AND CRAIG G. WILDE</b> Patentee:			
Invention: <b>NEW CHEMOKINES EXPRESSED IN PANCREAS</b>			

I hereby declare that I am:

- the owner of the small business concern identified below:
- an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: INCYTE PHARMACEUTICALS, INC.

ADDRESS OF CONCERN: 3330 HILLVIEW AVENUE, PALO ALTO, CA 94304

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- the specification filed herewith with title as listed above.
- the application identified above.
- the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- no such person, concern or organization exists.
- each such person, concern or organization is listed below.

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

Individual       Small Business Concern       Nonprofit Organization

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

Individual       Small Business Concern       Nonprofit Organization

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

Individual       Small Business Concern       Nonprofit Organization

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

Individual       Small Business Concern       Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: RANDAL W. SCOTT

TITLE OF PERSON SIGNING

OTHER THAN OWNER: SENIOR VICE-PRESIDENT RESEARCH & DEVELOPMENT

ADDRESS OF PERSON SIGNING: INCYTE PHARMACEUTICALS, INC.

3330 HILLVIEW AVENUE, PALO ALTO, CA 94304

SIGNATURE:  DATE: FEBRUARY 17, 1995

**DECLARATION AND POWER OF ATTORNEY FOR  
UNITED STATES PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a United States patent is sought on the invention entitled

**NEW CHEMOKINES EXPRESSED IN PANCREAS**

the specification of which

/ X / is attached hereto.

/ / was filed on \_\_\_\_\_ as application Serial No. \_\_\_\_\_ and if this box contains an X / /, was amended on \_\_\_\_\_  
/ / was filed as Patent Cooperation Treaty international application No. \_\_\_\_\_ on \_\_\_\_\_, 19\_\_\_\_\_, if this box contains an X / /, was amended on under Patent Cooperation Treaty Article 19 on \_\_\_\_\_ 19\_\_\_\_\_, and if this box contains an X / /, was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim the benefit under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate indicated below and of any Patent Cooperation Treaty international applications(s) designating at least one country other than the United States indicated below and have also identified below any foreign application(s) for patent or inventor's certificate and Patent Cooperation Treaty international application(s) designating at least one country other than the United States for the same subject matter and having a filing date before that of the application for said subject matter the priority of which is claimed:

Country	Number	Filing Date	Priority Claimed
			<u>/ / Yes</u> <u>/ / No</u>
			<u>/ / Yes</u> <u>/ / No</u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States

application(s) listed below and of any Patent Cooperation Treaty international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in said prior application(s) in the manner required by the first paragraph of Title 35, United States Code §112, I acknowledge my duty to disclose material information as defined in Title 37 Code of Federal Regulations, §1.56(a) which occurred between the filing date(s) of the prior application(s) and the national or Patent Cooperation Treaty international filing date of this application:

Application <u>Serial No.</u>	Filed	Status (Pending, Abandoned, Patented)
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I hereby appoint the following:

 **BARBARA J. LUTHER**

Registration No.: 33,954

respectively and individually, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please address all communications to:

BARBARA J. LUTHER, ESQ.  
INCYTE PHARMACEUTICALS, INC.  
3330 HILLVIEW AVENUE, PALO ALTO, CA 94304

TEL.: 415-855-0555      FAX: 415-855-0572

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**\*IMPORTANT:** Before this declaration is signed, the patent application (the specification, the claims and this declaration) must be read and understood by each person signing it, and no changes may be made in the application after this declaration has been signed.

**Sole inventor or  
first joint inventor:**

Full name:

ROGER COLEMAN*1-00 et al*

Signature:

Date:

February, 1995

Citizenship:

United States of America

Residence:

Mountain View, California *CA*

P.O. Address:

260 Mariposa, #2  
Mountain View, CA 94041**Second joint inventor:**

Full name:

**OLGA BANDMAN**

Signature:

Date:

February, 1995

Citizenship:

United States of America

Residence:

Mountain View, California

P.O. Address:

2309 Rock Street, # 27  
Mountain View, CA 94043**Third joint inventor:**

Full name:

**CRAIG G. WILDE**

Signature:

Date:

February, 1995

Citizenship:

United States of America

Residence:

Sunnyvale, California

P.O. Address:

1239 Mandarin Drive  
Sunnyvale, CA 94087